

LAW MAY DISSOLVE HARRIMAN SYSTEM

Standard Oil Decision, if Sustained by Supreme Court, Will Affect Railroads.

LAWYER SAYS GOVERNMENT CONTROL MAY COME NEXT

Under Present Law the Great Railway Systems Must Dissolve, Declares Attorney.

"The Standard Oil decision is very liable to upset practically every plan Harriman made for the control of the Harriman system after his death," says a well known New York lawyer versed in corporation affairs.

"As everyone knows, Harriman arranged his railroads practically on this system:

"First, there was the Union Pacific. This road owned not only the material physical property of the railroad itself, but also the stocks and bonds of many other railroads. These roads in turn owned the stocks and bonds of still lesser roads, and so on down the line.

"Take the case of the Southern Pacific and the Salt Lake Route, for instance. The Harriman interests are acknowledged to own a half-interest in the Salt Lake Route. Or the Denver & Rio Grande and the Colorado & Southern, each own practically one-half of the Colorado Midland. The Rio Grande practically owns the Western Pacific. This, in short, is the condition today of practically all the railroads of America.

"Harriman was a wizard, but even so, he could not foresee the court's decision dissolving the Standard Oil company and declaring all such arrangements illegal. The Standard Oil has appealed to the United States supreme court, but it is likely that the decision of this court will be sustained. If this becomes the law of the land, as it likely will, then it affects the railroads as much as it does the Standard Oil company.

What the Law Says.

"If the law is carried out, and I think it will be, as the public demand is in such a direction, the court's decision will be sustained. The law says that not only two or more persons cannot create a trust, or a monopoly, or control interstate traffic, but that no individual can, even though the service is made better and cheaper. The law reads:

Section 1.—Every contract, combination in the form of trust or otherwise, conspiracy in restraint of trade or commerce among the several states, or with foreign nations, is hereby declared to be illegal.

Section 2.—Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person, or persons, to monopolize any part of trade or commerce among the several states, or with foreign nations, shall be deemed to be guilty of a misdemeanor.

Section 3.—The word 'person' or 'persons' wherever used in this act shall be construed to include corporations and associations.

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Better Service Is No Excuse.

"The circuit court, with four out of seven judges on the bench, all of whom were in the majority in the decision, referring to this law as applied to any and all corporations or individuals, says in part:

"The purpose of this statute was to keep the rates of transportation and the prices of freight in check, and to prevent the commerce open to free competition. Any contract or combination of two or more persons whereby the control of such rates or prices is taken from separate competitors in that trade and vested in a person or an association of persons necessarily restricts competition and restrains that commerce.

"It is thought that with the end of the combination the monopoly will naturally disappear, but lest instead of resulting that way, the monopoly should wrongfully be perpetuated by the aggregation of the physical properties and instrumentalities by which it is maintained, the statute provides for the combination and the liquidation and re-division from business of the other members of the combination, and such a course would violate the decree.

"The modern doctrine is but a recognition of the obvious truth that what a government should not grant because injurious to public welfare, the individual should not be allowed to secure exclusively for himself.

"The beneficial effect is the same whether the monopoly comes as a gift from a government, or as a result of individual wrongdoing. Nor can arguments of reduced prices of product, economy in operation and the like have weight.

Government Control Probable.

"The Northern Security case determined that a company could not own or control two or more railroads that otherwise would be presumed to compete with each other. Now this Standard Oil decision goes farther and says that no individual can own or control a monopoly of any kind, implying that all monopoly, as I understand it, belongs to the state and that no individual or company can either directly or indirectly secure a monopoly in anything, including transportation without the consent and under the control of the state, even by purchase in the open market.

"In other words, no scheme, no matter what it is, even down to the control of individual ownership, legal that put the control of any two or more railroads running between the same points under one control. How this decision affects the Hill, the Gould, the Hawley and the Harriman lines is obvious. It practically undoes all the plans of the little wizard.

"The Harriman people seem, by their recent acts, to be getting ready for some such thing. The Harriman interest in the Hill, the Gould, the Hawley and the Harriman lines is obvious. It practically undoes all the plans of the little wizard.

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show the value and far-reaching importance of the Baldwin idea.

That it will result in the rebuilding of many locomotives now running, but which are worn out and inefficient, would soon go to the scrap heap, is believed to be certain. In that event some idea of the results that will be achieved by the new Baldwin method is to be gained by a comparison to work done by a Baldwin Mallet compound with that done by a consolidation locomotive.

A test made on the Mexican Central shows that the work done by the Mallet was 152.128 more a ton of freight against 70.928 for the consolidation. Yet, whereas 59,087 pounds of oil was used as fuel by the consolidation locomotive, the amount used by the Mallet was only 5,000 pounds greater.

The tonnage handled by the Mallet was a fraction over double that handled by the simple consolidation.

FASTEST LONG DISTANCE TRAIN IS ON HILL LINE

The distance between St. Paul and Seattle is over 1,800 miles. Daily, for more than a month, the fast mail of the Great Northern has traveled that distance in less than forty-eight hours. Every day when ahead of its schedule it has been on time to the minute.

The accomplishment calls for an average speed, including stops, of forty miles per hour. The train has covered over sixty miles per hour in stretches of long, level stretches of track, where the engineer must make up time to compensate for the hard pull over the mountains and necessary stops at tanks and coal stations.

The train makes this remarkable run carries mail exclusively. It consists of five cars and is hauled by some of the most powerful engines in the world.

A comparison has been made between the time made by this train and some other famous trains. The Empire State express, the New York Central flyer between New York and Chicago, a distance of over 900 miles, made in June, 1905, its record run, averaging 60.25 miles per hour excluding stops.

A Pennsylvania train has run between Washington, Ohio, and Fort Wayne, Ind., at a rate of 75.81 miles per hour. The distance, however, is only sixty-one miles.

The Sud express, the most famous European train, which runs between Paris and Bayonne, maintains an average speed of 54 miles. The distance traveled is 186 miles.

No record of any train making a distance run over 1,000 miles at a sustained speed at all equalling that of the Great Northern mail.

It was with a view of securing the mail contract for the Great Northern that the railroad put this train into operation.

TO LOWER WESTERN RATES VIA GALVESTON STEAMERS

The Texas Steamship company will not advance its rates between New York and Galveston as a result of the reduction in rates announced by the railroads from Galveston to Denver, which will become effective Christmas.

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Fighting the Plague

In street cars and elevated trains of New York City this sign has been displayed.

If You Have Consumption

Do not give it to others by spitting in the car. If you do not have it don't let others give it to you by spitting. Consumption is caught mainly through dry spitting. If you must spit, use your handkerchief.

Committee on the Prevention of Tuberculosis,
52 Schermerhorn St.

This is one of the weapons employed in the fight to prevent the spread of the great white plague. The deadly germs of tuberculosis, lurking in the mucus discharged from consumptive lungs, get into the air and are breathed by the lungs of healthy people, where, if there is any sore spot, or weakness left by a cold or other irritated disturbance, they fasten and claim another victim.

Don't neglect a cough or cold. To break up a cold quickly there is nothing so effective as the mixture of two ounces of glycerine, a half-ounce of Virgin Oil of Pine compound pure and eight ounces of pure Whiskey. Shake well and take a teaspoonful every four hours. It clears the throat and bronchial organs, soothes the inflamed mucous surface, and because of its purity, is far preferable to the ordinary cough mixtures, many of which contain chloroform or other drugs. It is claimed by the Leach Chemical Co. of Cincinnati, who prepare the genuine Virgin Oil of Pine compound pure, that this mixture will break a cold in twenty-four hours and cure any cough that is curable.

to formulate a recommendation to the railroads, failing which, it may be deemed advisable to re-arbitrate the whole question of rate differentials, but there is reason to doubt that the interstate commission will again be asked to act for that purpose.

October car shipments in western New York show that 94,733 cars were handled with a percentage of 90.8 reduced within the time limit, and an average detention of 1.8 days. For October, 1908, 84,177 cars were handled and the average detention was 1.81 days.

Grain rates from northwest cities to New York, as compared with one-half to one cent with transfer privilege at New York.

Children Cry FOR FLETCHER'S CASTORIA

Round trip rates to California \$50, good for six months returning; three daily trains. If interested, write at once to K. C. Kerr, D. P. A., Salt Lake City, for any information about resorts and hotels. Ask for booklet.

CHINA IS PROTESTING CLAIMS OF RUSSIA

PEKIN, Dec. 5.—The Chinese government has sent a circular note to the Manchurian railway zones. The protest deals lengthily with the Russian communication, which was sent to the powers on October 8, and which gave the Chinese government a month later by M. Kokovsov, Russian minister of finance. The communication had to do with Russian intentions regarding railway zones in Manchuria, and the protest declares that it is a violation of the Portsmouth treaty, as well as the Harbin agreement of May, 1909.

Chamberlain's Colic, Cholera and Diarrhoea Remedy.

This is a perfectly reliable medicine for bowel complaints, and one that has never been known to fail even in the most severe and dangerous cases. For sale by all druggists.

Tribune Want Ads.

Bell Main 5200. Independent 360.

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FAIRLY ACTIVE WEEK IN IRON AND STEEL

Interest in Contract for Pig Iron Extending Over Next Year a Feature.

NEW YORK, Dec. 5.—The placing of contracts for basic iron by steel works, the buying of low-grade foundry and forge iron by pipe works, and the awakening of interest in contracts for pig iron running over the second, third and fourth quarters of next year, were the most prominent features in the iron trade last week.

Steel companies in eastern Pennsylvania have obtained 35,000 tons of basic for first and second quarter of 1910 shipments at \$18.75 delivered, making the total of such contracts in the last two weeks 55,000 tons.

In all, contracts for pig iron in the iron district last week aggregated 75,000 tons.

In finished steel products a diminished volume of orders has been evident in sheets and tin plate and wire products, but specifications on previous contracts have been heavy. Railroads have ordered 36,000 tons more rails. Equipment orders have been relatively light, aggregating 2500 cars and 45 locomotives. About 2000 cars and locomotives are still under negotiations.

Contracts for fabricated structural steel have aggregated 25,000 tons. Inquiries are now out for 15,000 tons for railway bridges.

Manufacturing building at New York will require from 20,000 to 25,000 tons of steel shapes.

Some sales of rolling and forging billets have been made for western shipment.

Removal Sale.

Big reductions in wall paper and framed pictures before moving to our elegant new store. Geo. W. Ebert & Co., 57 Main st.

CALIFORNIA BIOLOGIST IS HIGHLY HONORED

BUDA PEST, Dec. 5.—The medical faculty of Buda Pest university has offered the chair of experimental biology to Prof. Jacques Loeb of the University of California. Professor Loeb lectured before the International Medical congress at Buda Pest last September and delivered a course of lectures at Buda Pest university in June.

BISHOP DANIEL GOODSELL OF NEW YORK IS DEAD

NEW YORK, Dec. 5.—Bishop Daniel Ayres Goodsell of the Methodist Episcopal church died today following an operation for a carbuncle.

Dr. Goodsell was born at Newburgh, N. Y., in 1840, and entered the ministry in 1859. From 1880 to 1888 he was literary editor of the Christian Advocate, in 1888 he was elected bishop.

Does Not Want Job.

WASHINGTON, Dec. 5.—W. J. Calhoun of Chicago, it was announced here tonight, has declined the appointment of minister to China, which was tendered him by President Taft.

This is Worth Remembering.

Whenever you have a cough, cold, just remember that Foley's Honey and Tar will cure it. Remember the name, Foley's Honey and Tar, and refuse substitutes. Schramm-Johnson company.

Prominent Lawyer Dies.

SAN FRANCISCO, Dec. 5.—Judge Walter B. Cope, former president of the San Francisco Bar association, died at his home here last night from spinal trouble.

Most Daring History-Making Sale

of Clothing, Furnishing Goods and Hats on Record.

DESKY'S COLOSSAL SALE

A sale that was immediately accepted by the entire population of Salt Lake from the minute it opened. You cannot possibly get a full realization of its colossal significance and extraordinary import until you see the wonderful bargains.

Hundreds of Opportunity-Grasping Clothes Buyers

Have availed themselves and taken advantage of this great occasion.

Now, Right Now, Is the Time to Act Don't Delay a Minute

Come Today—It's worth coming a hundred miles to attend this feast of wonderful bargains.

Men's and Young Men's Suits and Overcoats

Regular value \$25.00. Desk's sale price \$19.95. A large variety of suits, blouses, double-breasted and single-breasted, staple blacks and blue serge.

Underwear

40c Underwear 15c
75c Underwear 39c
\$1.00 Underwear 70c
\$1.25 Underwear 79c
\$1.50 Underwear 95c
\$1.75 Underwear \$1.05
\$2.00 Underwear \$1.25

Men's and Young Men's Trousers

All \$2.00, \$2.50 and \$3.00 Trousers. Desk's sale price \$1.49. All \$3.50 to \$4.50 Trousers. Desk's sale price \$2.69. All \$5.00 to \$7.00 Trousers. Desk's sale price \$3.69. (Corridors included in this sale.)

Hats

Hundreds of dozens of the latest styles and shapes. We must sell 'em—they must go and will go at these prices:

All \$2.00 and \$2.50 hats, Desk's sale price \$1.49.
All \$3.00 and \$3.50 hats, Desk's sale price \$1.95.
All \$4.00 hats, Desk's sale price \$2.35.

Shirts

75c shirts, Desk's sale price 39c
\$1.00 shirts, Desk's sale price 59c
\$1.25 and \$1.50 shirts, Desk's sale price 79c
\$1.75 and \$2.00 shirts, Desk's sale price \$1.15
\$2.25 and \$2.50 shirts, Desk's sale price \$1.35

CASH CASH CASH

Is the Battle Cry, Hence to Profit We Bid Good-bye

205 M. H. DESKY 10

So. Main St. E. 2d South SALT LAKE CITY

Vigorous Old Age

As age advances, the active recuperative powers of youth grow less. Little ailments, ordinarily brushed aside, often cause grave illnesses. Do not wait for sickness, but come to the aid of nature with

Pabst Extract

The Best Tonic

Glowing and sparkling with vitality, it offers age a staff in the staunch vigor of rich barley malt and tonic properties of choicest hops. It fortifies the system and strengthens the whole body.

Insist Upon It Being Pabst

Order a Dozen from Your Local Druggist

SALT LAKE THEATRE

3 Nights and Wed. Mat., starting COHAN & HARRIS PRESENT **VICTOR MOORE**

as "KID BURNS," in George M. Cohan's Musical Riot **"THE TALK OF NEW YORK"**

With the Original Cast and Chorus and Stupendous Scenic Equipment as played for Four Months at the Knickerbocker Theatre, New York

Prices: Eve., 50c to \$1.50. Matinee, 25c to \$1.50.

MARCELLA SEMBRICH

Assisted by FRANCIS ROGERS, BARITONE, AND FRANK LA FORGE, PIANIST

Scale of Prices: Box and stall seats, \$3.50; parquet and dress circle, \$3.00; first circle, \$2.50 and \$2.00; family circle, \$1.00; gallery, \$1.00.

Regular box office sale begins today.

Opheum THEATRE

ADVANCED VAUDEVILLE. MATINEE TODAY AT 2:15 EVERY EVENING 8:15.

George Bloomquist, Howard H. Ward, Martinette & Sylvester, Rosa Roma.

Ballerina's Canine, Tamblers John Birch, Myer & Rosa.